



Thomas Hooper  
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a.gov>


To: Marcia Lagerloef/R10/USEPA/US@EPA  
cc:  
Subject: Re: Exchange of draft letters

03/04/2003 12:46 PM

I've thought more about your question yesterday about addressing T&E species in the rule and have a slightly different answer. I believe when Ecol issues NPDES permits and allows for the creation of new mixing zones there should be a consideration given to T&E species that may be affected (spawning, significant rearing, etc.). May be a "taking" issue under the ESA.

Lagerloef.Marcia@epamail.epa.gov wrote:

> I should have a draft of our letter that will have undergone one review  
> internally sometime tomorrow afternoon. Would you like to exchange  
> letters then, so that if we have some further need to discuss things we  
> can do it Wed afternoon or Thurs am? I'm right up against the deadline  
> finishing this letter, and don't work on Friday, so this is a bit tight,  
> but the best I can do right now. Sound okay?

  
thomas.hooper.vcf



**Marcia Lagerloef**

03/03/2003 08:53 AM

To: Jim\_Muck@r1.fws.gov

cc:

Subject: Re: Monday's policy meeting with you

I find lots of places where there might be multiple ways of interpreting what they've included. For example, if there is insufficient data for a 90-day average does the daily minimum DO act as the sole criterion for compliance purposes. There is the obvious DO question of when to measure to determine a daily minimum. There are similar questions re temperature implementation -- while antideg be done before a cumulative increase in T of 2.8 for nonpoint sources is allowed? How will the cumulative increase be tracked? Etc, etc. I'd like to collect whatever questions on these kinds of things you've come across and maybe we can either make suggestions to Ecology where we have a specific thought on how it should be done, or we ask that they clarify in their final wqs. There's probably no way they'll develop detailed guidance to permit writers and their monitoring staff before they adopt the wqs, so we need to think in terms of what needs to be clarified directly in the wqs so there aren't large loopholes for interpretation.

Jim\_Muck@r1.fws.gov



**Jim\_Muck@r1.fws.gov**

02/28/2003 12:01 PM

To: Marcia Lagerloef/R10/USEPA/US@EPA

cc:

Subject: Re: Monday's policy meeting with you

In reality I am having a little bit of trouble understanding the implementation part of this. I don't see what ecology has to implement in less you are talking about monitoring. I see that implementation may be enforcement. Making sure the water quality standards are met. If implementation means that Ecology should have language on how and when to take temp and DO measurements, I think we can include language along that line.

Maybe on Monday we can discuss further what implementation means.

Jim

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JIM MUCK  
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Lagerloef.Marcia@epamail.epa.gov

Jim\_Muck@r1.fws.gov

To:

cc:

02/27/2003 12:18 PM

Subject: Re: Monday's

policy meeting with you

I've passed your message on to Tom. Besides the obvious candidates of Temperature and DO we may want to talk about the implementation issue that came out at the tribal meeting. I'm trying in my comments to WA to make recommendations where they could add in a little detail without doing full blown permit writer guidance at this point. Are you thinking along those lines at all? It would help me to know your implementation questions so I could help the state come up with some language -- maybe.

I'll get back to you when I hear from Tom.

Jim\_Muck@r1.fws.g

ov  
Lagerloef/R10/USEPA/US@EPA

To: Marcia

cc:

02/27/2003 09:22  
policy meeting with you  
AM

Subject: Re: Monday's

I don't have anything specific. This meeting I believe was set up by Tom Eaton after he met with Ken Berg and Steve Landino back when Ecology first released their proposed water quality standards. At that time Tom had a list of issues that they discussed. Should those be the agenda, or do we just go over each others concerns with the standards?

Jim

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ail.epa.gov  
jim\_muck@fws.gov, thomas.hooper@noaa.gov

To:

cc:

02/25/2003 05:08 PM  
policy meeting with you

Subject: Monday's

We're starting to think about the policy meeting we have scheduled with you and your senior managers on Monday at 1:30 in Olympia. Do you have specific thoughts about what you'd like to see on the agenda?